IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.2023 OF 2005

Mohd.Yakub Abdul Hamid Shaikh ...Petitioner
vs.
The State of Maharashtra ...Respondent

Mr.U.N.Tripathi for the Petitioner
Mr.R.Y.Mirza,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 8,2005

P.C.:

1. Heard Counsel for the Petitioner and learned A.P.P. for State. The learned A.P.P. for State pointed out that by letter dated 23rd June 2005 the Petitioner has been informed that there was inadvertent error in notice dated 10th June 2005 and the date of authorization should be read as 8th June 2005 instead of 17th June 2005 and the said letter has been duly served on the Petitioner. The said statement is made by the learned A.P.P. on instructions of the concerned Officer. The Counsel for the Petitioner states that he is not aware whether such letter is served on the Petitioner. The statement made by the learned A.P.P. on instructions is accepted. The learned A.P.P. states that on the office copy of the said letter the petitioner has acknowledged the receipt thereof.

2. The challenge in this Petition is to the show cause notice issued under Section 59 of the Bombay Police Act,1951. In

view of the statement made by the learned A.P.P., this Petition is not entertained. It is however made clear that all contentions of the Petitioner including the contention regarding date on which the authorization is issued by the Deputy Commissioner of Police are kept open.

3. Subject to the observations made above, Petition is rejected.

JUDGE